

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - July 15, 1970

Appeal No. 10482 Park Skyland, Inc., appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of September 25, 1970.

EFFECTIVE DATE OF ORDER - Dec. 10, 1970

ORDERED:

That the appeal for variance from the side yard, floor area ratio, use provisions and to permit parking in front of dwelling for row house development at rear of 24th and Wagner Streets, SE., Lots 233 and 234, Parcel 220/29, Square 5740, be GRANTED.

FINDINGS OF FACT:

1. The subject property is located in an R-5-A District.
2. The subject property is an unimproved lot.
3. Appellant proposes to erect seventy-two (72) houses with parking in front of row houses.
4. Appellant alleged that the parking in front of the row houses was necessary due to the topography and they would be a minimum of five (5) feet from the building (See BZA Exhibits No. 9 and 10).
5. The parking will be in front on Lots 251 through 301, 311, 312 and 320 through 323. Lots 302 through 310 will have under the house parking. Lots 301 and 251 require a side yard variance because the building is on the property line and not abutting another structure.
6. No opposition to the granting of this appeal was registered at the public hearing.

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OPINION:

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 
PATRICK E. KELLY
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.